

HONORABLE MICHELLE L. PETERSON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BUNGIE, INC., a Delaware corporation,  
Plaintiff,

v.

JOSHUA FISHER, JACOB W. MAHURON  
A/K/A “PRAGMATIC TAX,” MATTHEW  
ABBOTT A/K/A “NOVA,” JOSE  
DEJESUS AKA “DAVID HASTINGS”  
A/K/A “J3STER,” TRAVERS RUTTEN  
A/K/A “TRAVERS7134,” JESSE  
WATSON A/K/A “JESSEWATSON3944,”  
JOHN DOE NO. 1 A/K/A “CALC,”  
ANDREW THORPE A/K/A “CYPHER,”  
RYAN POWER AKA “KHALEESI,” JOHN  
DOE NO. 4 A/K/A “GOD,” JOHN DOE  
NO. 5 A/K/A “C52YOU,” JOHN DOE NO.  
6 A/K/A “LELABOWERS74,” JOHN DOE  
NO. 7 A/K/A “FRAMEWORK,” KICHING  
KANG A/K/A “SEQUEL,” JOHN DOE  
NO. 9 A/K/A “1NVITUS,” DAVID  
BRINLEE A/K/A “SINISTER,” JOHN DOE  
NO. 11 A/K/A “THEGUY,” JOHN DOE  
NO. 12 A/K/A “BEATRED,” JOHN DOE  
NO. 13 A/K/A “COMMUNITYMODS,”  
JOHN DOE NO. 14 A/K/A “PALACE,”  
JOHN DOE NO. 15 A/K/A  
“VINCENTPRICE,” JOHN DOE NO. 16  
A/K/A “ESSWAN,” JOHN DOE NO.  
17A/K/A “ADMIRAL,” JOHN DOE NO. 18  
A/K/A “TOMDICKHARRY,” JOHN DOE  
NO. 19 A/K/A “ROB,” JOHN DOE NO. 20  
A/K/A “STAYLOCKED,” JOHN DOE NO.  
21 A/K/A “FIVE-STAR,” JOHN DOE NO.  
22 A/K/A “HORROR,” JOHN DOE NO. 23  
A/K/A ELITECHEATZ.CO, JOHN DOE  
NO. 24 A/K/A MIHAI LUCIAN, JOHN

Case No. 2:23-cv-01143-MLP

DECLARATION OF DYLAN SCHMEYER  
IN SUPPORT OF PLAINTIFF’S *EX PARTE*  
EIGHTH MOTION FOR AN EXTENSION  
OF THE SERVICE DEADLINE UNDER  
RULE 4(m)

NOTE ON MOTION CALENDAR:  
July 11, 2025

DOE NO. 25 A/K/A NATHAN BERNARD,  
A/K/A “DOVE,” JOHN DOE NO. 26  
A/K/A “BLACKMAMBA,” JOHN DOE  
NO. 27 A/K/A “BILLNYE,” JOHN DOE  
NO. 28 A/K/A “BANEK192,” JOHN DOE  
NO. 29 A/K/A SHOPPY ECOMMERCE  
LTD, JOHN DOE NO. 30 A/K/A/ FINN  
GRIMPE A/K/A “FINNDEV,” AND JOHN  
DOES NO. 31-50,  
  
Defendants.

I, Dylan Schmeyer, declare and state as follows:

1. I am an attorney with Kamerman, Uncyk, Soniker & Klein, P.C., counsel to Plaintiff Bungie, Inc. in this action. I make this declaration based on my personal knowledge of the facts herein, and could and would testify to them competently if necessary.

2. The Unidentified Defendants in this case have taken steps to obfuscate their identities and contact information, employing multiple pseudonyms across multiple platforms, and even trying to quash discovery efforts aimed at identifying them.

3. Defendants are actively attempting to cover their tracks, but Bungie has made great strides in identifying them, amending its complaint to reflect what it has learned and continuing to pursue the information necessary to serve, either conventionally, or, if necessary, through alternative service, every Defendant it is identifying.

4. Analyzing the available information and the information provided through third-party discovery is a laborious and time intensive process.

5. Bungie has diligently pursued discovery and other investigative efforts in this action in order to identify, name, and serve the Unidentified Defendants. Bungie sought and was granted leave to send its final round of third-party subpoenas, *see* Dkts. 58. 67.

6. Three of Bungie’s subpoenas, to Discord, Google, and Stripe, were served late due to an inadvertent error by our process server. Those productions have all finally arrived, with the final production responsive to the Payward subpoena arriving April 9.

7. Bungie has issued 31 subpoenas in total to various third parties pursuant to the Court’s Orders, *see* Dkts. 27, 51, and 67, to obtain the necessary information to complete its

1 investigation and identification of the Defendants – 18 in the first wave, six in the second wave,  
2 and six in the third wave, and one follow-up in the third wave.

3 8. Bungie sent a Rule 4 waiver request with the Amended Complaint to every  
4 Defendant it has identified to date (including those who received such requests for the original  
5 complaint). Those identified Defendants include the following: Joshua Fisher; Jacob W.  
6 Mahuron a/k/a “Pragmatictax”; Matthew Abbott a/k/a “Nova”; Jose DeJesus a/k/a “David  
7 Hastings” a/k/a “J3ster”; Travers Rutten a/k/a “Travers7134”; Jesse Watson a/k/a  
8 “Jessewatson3944”; Andrew Thorpe a/k/a “Cypher”; Ryan Power a/k/a “Khaleesi”; Kiching  
9 Kang a/k/a “Sequel”; David Brinlee a/k/a “Sinister”; John Doe No. 12 a/k/a “Beatred” a/k/a  
10 “Cicero A. Loureiro”; John Doe No. 14 a/k/a “Palace” a/k/a “Robert S. Herrity”; John Doe  
11 No. 16 a/k/a “Esswan” a/k/a “Sabeen Rehman Soomro”; John Doe No. 21 a/k/a “Five-Star” a/k/a  
12 “Taylor Knetter”; John Doe No. 30 a/k/a Finn Grimpe a/k/a “Finndev”; and John Doe No. 25  
13 a/k/a “Nathan Bernard” a/k/a “Dove.” It has received two favorable responses, two rather  
14 aggressively negative ones, and silence from the rest. It will continue to send waivers as further  
15 identifications are made. It will move forward with service of those who have either not  
16 responded, or who have responded negatively, once its alternative service needs are fully  
17 ascertained and it has sought leave of the Court to do so.

18 9. Bungie has served every U.S. Defendant it has identified to date, either formally  
19 or through a signed Rule 4 waiver. The final probable U.S. Defendant has not had his identity or  
20 address confirmed, and will be included in the forthcoming requests for alternative service.

21 10. Bungie also has begun the process of serving Defendants located outside the  
22 United States, either through Hague service or through a forthcoming motion for alternative  
23 service.

24 11. Bungie does not believe it will identify further U.S. Defendants at this time, but it  
25 requires more time to complete its analysis of the last data it received pursuant to the subpoenas  
26 to ensure that this is the case.

27 12. Bungie is currently in discussions with multiple Defendants regarding a possible

1 resolution. These talks vary in stage and proximity to getting a deal done, but it is my current  
2 assessment that multiple deals may be possible in the coming month or so. The terms of any final  
3 settlements may well impact both our forthcoming amendments and the parties we seek  
4 alternative service for.

5 13. I, and my whole team assisting with this case, had to arbitrate cases from  
6 May 19th to May 22nd, and June 30th to July 2nd, and I had to attend a final hearing day on  
7 July 10th. Preparation for these matters is extensive, they required weeks of travel, and progress  
8 on other matters, including this one, was considerably slowed by those endeavors. My  
9 commitments to similar trials are, for the next several months, at an end.

10 14. We are finalizing our investigation and our negotiations, and once that is  
11 concluded, will have finalized the necessary parties to request alternative service for, and can  
12 lock in the necessary amendments for the motion for leave to file a second amended complaint.

13 I declare under penalty of perjury under the laws of the United States that the foregoing is  
14 true and correct to the best of my knowledge.

15 Executed this 11th day of July, 2025, at Thornton, Colorado.

16  
17 s/ Dylan Schmeyer  
18 DYLAN SCHMEYER  
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